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2 IN THE UNITED STATES DISTRICT COURT
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4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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6 ELIAS M. TORRES,
7

No. CV-06-4192 MMC (PR)

Plaintiff,

8 v.
9 **JUDGMENT IN A CIVIL CASE**

10 R. KIRKLAND, et al.,
11 Defendants.

12 **(J) Jury Verdict.** This action came before the Court for a trial by jury. The issues have
13 been tried and the jury has rendered its verdict.

14 **(X) Decision by Court.** This action came to trial or hearing before the Court. The
15 issues have been tried or heard and a decision has been rendered.

16 **IT IS SO ORDERED AND ADJUDGED**

17 1. The motion to dismiss the amended complaint is hereby GRANTED, and the above-
18 titled action is hereby DISMISSED as to all defendants. The dismissal is without prejudice to
19 plaintiff's refiling his claims after all available administrative remedies have been exhausted.

20 2. Plaintiff's motion to set time limits to file objections is hereby DENIED.

21 3. Defendant Kirkland's motion to join in the motion to dismiss is hereby GRANTED.

23 Dated: August 27, 2008

Richard W. Wiking, Clerk

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25 By: Tracy Lucero
26 Deputy Clerk
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